

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

DAVID SAMUEL CRENWELGE,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-23-42-G
)	
STEPHENS COUNTY et al.,)	
)	
Defendants.)	

ORDER

Plaintiff David Samuel Crenwelge, a state inmate appearing pro se, initiated this civil action on January 11, 2023. In accordance with 28 U.S.C. § 636(b)(1), the matter was referred to Magistrate Judge Gary M. Purcell for preliminary review.

Judge Purcell issued a Report and Recommendation (Doc. No. 4) recommending that this action be dismissed due to Plaintiff's failure to comply with the Court's order to either pay the required filing fee or seek leave to proceed *in forma pauperis*.

Plaintiff has now filed a submission that the Court liberally construes as an Objection to the Report and Recommendation. *See* Doc. No. 5. Pursuant to controlling authority, the Court reviews de novo the portions of the R. & R. to which specific objections have been made. *See United States v. 2121 E. 30th St.*, 73 F.3d 1057, 1060 (10th Cir. 1996); 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3).

In his Objection, Plaintiff argues that he lacks the funds to pay the filing fee and requests that he be permitted to proceed *in forma pauperis* in this matter. *See* Pl.'s Obj. at 2.

Having considered Plaintiff's contentions, the Court finds that Plaintiff should be permitted an opportunity to submit an *in forma pauperis* application to the Court.

CONCLUSION

Accordingly, the reasoning of the Report and Recommendation (Doc. No. 4) is ADOPTED. The Court declines to dismiss this matter at this time.

The Clerk of Court is directed to send an *in forma pauperis* application form to Plaintiff along with a copy of this Order. If Plaintiff wishes to proceed with this action, he must complete and return this application to the Court within fourteen (14) days of the date of this Order. Failure to do so may result in dismissal of this matter without prejudice.

IT IS SO ORDERED this 11th day of April, 2024.



CHARLES B. GOODWIN
United States District Judge